Montana Newsletter

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MONTANA LEGISLATIVE SERVICES DIVISION

Organization and Overview

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Legislative Services Division

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MONTANA LEGISLATIVE SERVICES DIVISION

Introduction and History

Established in 1957 as the Montana Legislative Council, the Legislative Services Division was originally created by the Legislature as a permanent agency of the Legislative Branch of state government to provide information and to study selected problems confronting the Legislature in the interim between biennial sessions. Since then, the Legislature has added to the Division's duties and responsibilities in a variety of areas. In 1995, the Legislature reorganized the agencies of the Legislative Branch (except for the Consumer Counsel). The change, among other things, distinguishes between the Legislative Council as a committee that governs a number of activities and the staff, which is now associated with the name "Legislative Services Division". The Division staff also now includes staff from the Legislative Environmental Policy Office (LEPO), which formerly was known as the Environmental Quality Council staff.

Division Organization

The Legislative Services Division staff works within policy set by the 12-member bipartisan Legislative Council, which is composed of four members of the House of Representatives and four members of the Senate as well as the Speaker, President, and minority leaders of each house. The staff is organized into five functional offices: the Central Services Office, the Office of Research and Policy Analysis, the Legal Services Office, the Office of Legislative Information Technology, and the Legislative Environmental Policy Office.

The Central Services Office includes management, purchasing, publication distribution, financial and personnel functions, secretarial support, final preparation of Legislative Services Division documents, legislative printing and distribution, and legislator information and telecommunications.

Fiscal staff maintains Legislative Branch accounting and personnel records, processes claims and payrolls, prepares and monitors budgets, and requisitions supplies and equipment.

The document publication and distribution area involves final preparation of Legislative Services Division publications, coordination with printing contractors, and development and maintenance of customer data bases to control distribution, billing, collections, and accounting for publications in stock.

The document processing area is responsible for the final preparation of Legislative Services Division documents, secretarial support for the Division, and reception/information services.

Final document preparation includes proofing and clerical preparation of introduced bills, engrossing and enrolling of bills, final preparation of letters and reports, operation of computer graphics programs, preparation of camera-ready copy for numerous publications, and maintenance of data bases used for these purposes.

Division secretaries support interim committee meetings through document preparation, composition of minutes, and maintenance of committee files.

The document processing staff uses computerized word processing and data base management systems to operate with a high degree of effectiveness and accuracy with a small staff of word processing operators, secretaries, and proofreaders. Publication of the text and annotations for the Montana Code Annotated, Rules of the Montana Legislature, code sections affected list, status, Combined Final Status, and Session Laws are Office responsibilities.

Legislative Printing and Distribution is activated just prior to a legislative session and has two separate functions. The distribution center distributes bills, amendments, resolutions,

indexes, daily status, rules, and journals to legislators, state agencies, lobbyists, and other subscribers to the legislative proceedings. Daily mailings of the proceedings are made to the 56 County Clerk and Recorders and 12 depository libraries in the state. The printing and distribution staff orders all printing, sets priorities on the printing based on legislative needs, prints the material, and delivers printed proceedings to the House and Senate bill distribution offices.

During a legislative session, the **Legislative Information and Telecommunications Service** is in operation. This service is established just prior to a legislative session, operates 6 days a week during session, and provides legislative information to the public and to the many Capitol visitors. The staff assists in preparation of the Legislative Telephone Directory. The staff also distributes the Legislative Rules, daily committee hearing calendars, information available through the computerized information system, daily second- and third-reading agendas for the House and Senate, seating charts, and other relevant materials. The staff provides a telephone reception and messaging service for the Legislature.

The Office of Research and Policy Analysis and the Legal Services Office share many of the same responsibilities. Both offices perform general and specialized research, reference, and information functions. Staff members from both offices staff legislative committees during the session and throughout the interim, draft legislation, prepare legislative and staff reports, and provide information on the legislative process to the public.

The Office of Research and Policy Analysis has primary responsibility for staffing interim committees and providing reference services.

The Office also maintains a reference library that provides access to items of special interest to legislators and Legislative Branch staff. The library maintains a liaison with other libraries to help make information available as quickly as possible.

The Legal Services Office provides primary support for the Code Commissioner. The Code Commissioner, who is also the Legal Services Office Director, supervises the continuing codification, indexing, rearranging, and general updating of the text and annotations of the Montana Code Annotated. During the interim, publication and updating of the Montana Code Annotated is a primary responsibility of the Legal Services Office. Codification is a time-consuming task for the Code Commissioner, the Legal Services Office staff, and the document processing staff immediately following a legislative session. Annotations, including case notes to federal and state court decisions and other materials useful to MCA users, are published separately from the section text in a booklet format that may be easily updated. The preparation of annotations text is a continuing interim responsibility of the Legal Services Office.

The staff also supports the Administrative Code Committee in its function of reviewing all Executive Branch rules, reviews all proposed ballot measures for conformity with the Legislative Services Division Bill Drafting Manual, and provides legal counseling to legislators on issues of state law.

Editors in the Legal Services Office maintain high quality in Legislative Services Division documents and publications, including legislation, initiative proposals, interim reports, and legal memorandums.

Indexers provide services in support of the Legislative Services Division's responsibilities. The indexers produce the Montana Code Annotated Index, the Legislative Review Index, the Session Law Indexes, the Bill Drafting Manual Index, and the Legislative Rules Index. Major indexes are updated during and after each legislative session, and the Montana Code Annotated Index undergoes continual editing and revision.

The Office of Legislative Information Technology provides network support personnel, systems analysts, and

programmer/analysts who play a key role in planning, developing, and maintaining the computer network, systems, and applications used to support computer processing activities for the Legislative Branch. As an example, Office personnel have developed and maintain the system used to display bill status and other legislative information online during the session and are responsible for daily preparation of the bill draft request report and the daily bill status report.

Office personnel also are key to the continued development, integration, operation, and maintenance of Legislative Branch systems that contribute to bill processing, public access to legislative information, and legislative efficiency.

The Legislative Environmental Policy Office (LEPO) staff, under the supervision of the Legislative Environmental Analyst, is responsible for assisting EQC members in the fulfillment of their duties.

The LEPO staff acts as an impartial source of information on environmental matters for the EQC, the Legislature, and the public. Staff responsibilities include researching and writing reports, organizing and monitoring public meetings and hearings, drafting proposed legislation, and conducting studies assigned by the Legislature.

In addition, members of the LEPO staff serve as committee researchers to the House and Senate Natural Resources Committees during legislative sessions.

Division Programs

Division activities have been organized into three programs.

The "Feed Bill Program" is funded each session through a bill appropriating money for the operation of the Legislature, including legislative information, bill printing and distribution, legislative publications, and legislative telephone services.

The Legislative Services Program is discussed at length beginning on page 12.

Legislative Committees and Activities Program

Overview

The Legislative Committees and Activities Program is the budgetary unit of the Legislative Branch that supports expenditures of various legislative committees and activities, particularly those conducted during the interim. The program has a technical component and a policy component. The technical component represents the service provided in support of the policy component, i.e., the Legislature's purposes for activities supported by the program.

The Legislative Committees and Activities Program is designed to support the costs of the following functions:

(1) **interim studies activities** established under 5-5-202 and 5-5-211 through 5-5-217, MCA, with funding for:

   (a) legislator salaries and expenses;

   (b) the printing and postage costs of studies;

   (c) contracted services for studies; and

   (d) other extraordinary study costs;

(2) **interstate cooperation activities** of the Legislature as broadly authorized under 5-11-301, MCA, which typically include the following:

   (a) **Council of State Governments/CSG West,** founded in the 1930s to enhance interstate cooperation and sharing of information. Section 5-11-301, MCA, specifically assigns the

Legislative Council the function of carrying forward the participation of the State of Montana as a member of the Council of State Governments.

(b) **National Conference of State Legislatures**, formed in 1975 from three separate legislative organizations to improve the quality and effectiveness of state legislatures, to foster interstate communication and cooperation, and to ensure legislatures a strong, cohesive voice in the federal system;

(c) **Pacific Northwest Economic Region**, established in 1991 and operates under Title 5, chapter 11, part 7, MCA to promote collaboration on the economic activities of the region, to enhance the competitiveness of the region's products, and to improve economic well being and quality of life of the region's citizens; and

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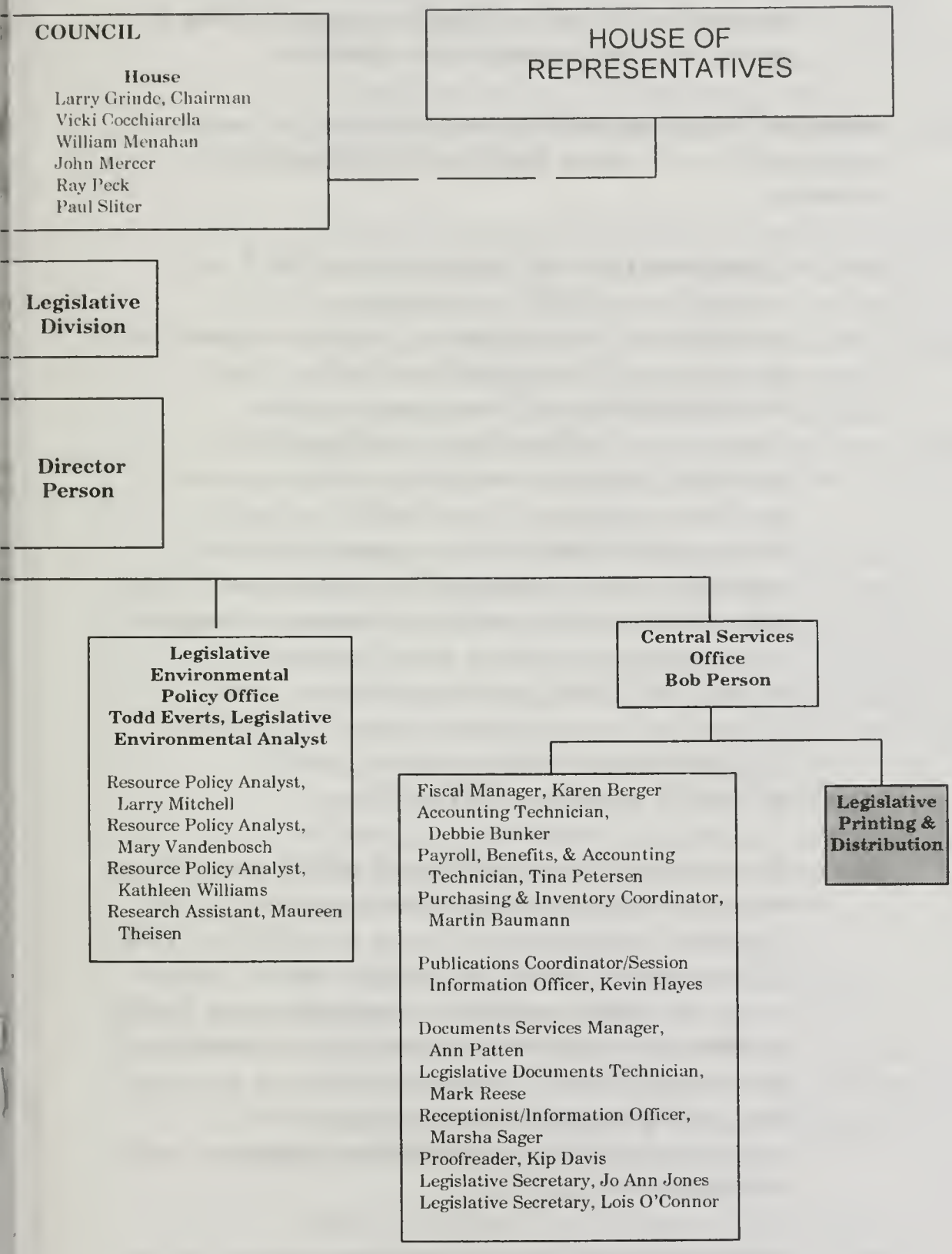

(d) **National Conference of Commissioners on Uniform State Laws**, established in 1892 to promote uniformity of law among the states in areas in which uniformity is desirable.

(3) **other legislative committees and activities** for which appropriations are made that typically include the following:

(a) **Legislative Council**, established in 1957 and reorganized in 1995 as a permanent joint committee. The Legislative Council's mission is to provide ongoing leadership, direction, and foresight for the efficient operation and improvement of the Legislative Branch; to establish personnel and pay policies in order to maintain professional and highly motivated employees; to educate the public about the Legislature and foster public participation in the legislative process; and to preserve the integrity of the Legislature as an equal branch of government. The powers and duties of the Legislative Council are set forth in 1-11-301, 2-17-805, 5-11-105 through 5-11-107, 5-11-301, and 5-11-703, MCA.

(b) **Environmental Quality Council (EQC)**, established in 1971, has four major duties identified in the Montana Environmental Policy Act (MEPA) (Title 75, chapter 1, parts 1 through 3, MCA), which are to research and analyze environmental trends; to monitor environmental actions and policies of state agencies; to recommend ways to improve the state's natural, social, and economic environments; and to assist the Legislature with environmental legislation;

(c) **Administrative Code Committee**, established in

1975 as a permanent joint committee to review all proposed rules, rule amendments, and rule repeals filed with the Secretary of State under the Montana Administrative Procedure Act (Title 2, chapter 4, MCA). The powers of the committee are set forth in Title 2, chapter 4, part 4, MCA;

(d) **Revenue Oversight Committee**, created in 1979 to review proposed rules of the Department of Revenue and to exercise legislative oversight of that Department. The committee also investigates and reports on any other matters concerning taxation, serving essentially as the interim legislative committee on taxation. The committee operates under Title 5, chapter 18, part 1, MCA.

(e) **Committee on Indian Affairs** operating under legislative authorization from session to session since 1977 and under permanent statute since 1989 under Title 5, chapter 19, part 1, MCA. The committee is directed to encourage participation of Indian people at committee meetings, to act as a liaison between Indian people and the Legislature, to encourage tribal-state and tribal-local government cooperation, and to hold hearings to promote better understanding between the tribes and public agencies.

(f) **Committee on Public Employee Retirement Systems**, operating under Title 5, chapter 21, MCA, to consider all matters relevant to the various public retirement systems in Montana and to make recommendations to the Legislature regarding public employee retirement;

(g) **Joint Oversight Committee on Children and Families**, conducting business since 1989 and

operating permanently since 1995 under Title 5, chapter 22, MCA, to examine and to monitor all matters relating to programs for children and families in Montana; and

(h) **Districting and Apportionment Commission**, required by Title 5, Chapter 1, part 1, MCA.

Services Division Feed Bill Program

Overview

The Services Division Feed Bill Program is the budgetary unit of the Legislative Branch that supports functions assigned to the Legislative Services Division specifically to support the operations of a legislative session traditionally budgeted in the Feed Bill. Program services include coordinating the printing and distribution of bills and other legislative information on paper and other media, the printing and distribution of post-session legislative publications, providing central legislative information, telephone reception, and messaging services, and supporting the costs of telephones and related communications services.

Legislative Services Program

Overview

The Legislative Services Program is the budgetary unit of the Legislative Branch that supports functions assigned to the Legislative Services Division.

Goals

The goals of the Legislative Services Division include using Legislative Services Program resources to:

(1) provide the Legislature with economical, high-quality services within the Legislative Services Division's

assigned areas of responsibility, in accordance with the long-term requirements of the legislative institution (MT 5-11-112, MCA);

(2) draft bills for legislators and legislative committees (MT 5-11-112, MCA; Joint Rule 40-40);

(3) support legislative services needs of the Legislature as requested through leadership, committees, committee presiding officers, and legislators (MT 5-11-112, MCA);

(4) provide research, legal, and organizational support to interim legislative committees and other statutory committees and activities, within the limits of staff availability (MT 5-11-112, MCA);

(5) accomplish the duties assigned to the Code Commissioner in 1-11-204, MCA, effectively and efficiently (MT 1-11-204, MCA);

(6) support the production, engrossing, and enrolling of bills and the production of bill status reports and publications indexes, using appropriate personnel and technologies to achieve the timely and accurate production of legislative documents and information (MT 5-11-203 and 5-11-212, MCA; Joint Rules 10-120, 10-160, and 10-170);

(7) produce session-related publications in an attractive and useful format that is economical and acceptable to a majority of the subscribers (MT 5-11-203 and 5-11-212, MCA);

(8) publish and distribute the *Montana Code Annotated* statute text prior to October 1 following a regular legislative session (MT 1-11-204, MCA);

(9) publish accurate updates of the annotations to the

Montana Code Annotated once each biennium (MT 1-11-204, MCA);

(10) publish *Montana Code Annotated* publications in an attractive and useful format that is economical and acceptable to a majority of the subscribers (MT 1-11-204, MCA);

(11) recover all costs of producing the *Montana Code Annotated* and up to a maximum of 25% in addition to the costs (MT 1-11-301, MCA);

(12) employ well-qualified, stable, permanent, objective, professional, and nonpartisan employees to provide effective and efficient services to the Legislative Branch, in accordance with the general policies of the Legislative Council and the statutes (MT 5-11-111, MCA);

(13) provide library reference services to the Legislative Branch and, to a limited degree, to other state agencies and individuals (MT 5-11-112, MCA);

(14) provide accounting, payroll, and purchasing services to the Legislative Branch (MT Joint Rule 10-100);

(15) support effective policy development by the Legislative Council (MT 5-11-105, MCA);

(16) provide limited research, legal analysis, and reference services in response to requests from individuals and offices within the Legislative Branch, individual legislators, other states, and interstate agencies (MT 5-11-112 and 5-11-301, MCA);

(17) provide information in response to requests from the public about the Legislature, statutes, and state government (MT Art. II, sec. 8 and 9, Mont. Const.; Art. V, sec. 10, Mont. Const.; 5-11-112, MCA);

(18) budget and account accurately for the costs associated with publishing and distributing the *Montana Code Annotated* statute text, annotations, and ancillary publications (MT 1-11-301, MCA);

(19) plan, coordinate, install, operate, and maintain computer network and applications development services for the Legislative Branch (MT 5-11-112, MCA; Title 5, chapter 11, part 4, MCA);

(20) maintain employee skills through training and information (Discretionary);

(21) review ballot issues in accordance with the requirements of 13-27-202, MCA (MT 13-27-202, MCA);

(22) provide an automatic, electronic, accurate billing and inventory system for the *Montana Code Annotated* and ancillary publications and for other billable activities (Discretionary);

(23) provide automated systems to support efficient management of the legislative workflow and timely accessibility of information to the public regarding the status and disposition of legislation in the legislative process (Discretionary);

(24) support a newsletter that reports interim legislative activities, planned meetings, and other legislative news (Discretionary);

(25) support the provision of copy services for the dissemination of legislative information and miscellaneous other services at a price that reflects cost (Discretionary);

(26) operate the Legislative Intern Program in such a way as to meet the requirements of Title 5, chapter 6, part 1,

MCA (MT);

(27) support Legislative Services Division accomplishment of assigned duties by providing adequate logistical support, which includes the following:

(a) adequate office space and furnishings;

(b) office equipment, supplies, and materials;

(c) reference books, materials, and services; and

(d) communications support, including telephone, mail, and other media (Discretionary); and

(28) provide administrative support systems as required to effectively and efficiently manage Legislative Branch resources and responsibilities.

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